IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 22ND FEBRUARY 2007 / 3RD PHALGUNA 1928

Bail Appl..No. 933 of 2007()

CR.NO.72/04 OF KAYAMKULAM POLICE STATION

: PETITIONER/ACCUSED

RAJESH, S/O.RAJU, AGED 27 YEARS,
VALLANTHARA THEKKETHIL, PRAYAR VADAKKUM MURI,
PUTHUPALY VILLAGE.

BY ADV. SRI.J.JULIAN XAVIER

RESPONDENT: COMPLAINANT

PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, REP. FOR
STATION HOUSE OFFICER, KAYAMKULAM POLICE STATION.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 22/02/2007, ALONG WITH BA.937/07, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO. 933/07 & 937/07

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DATED THIS THE 22nd DAY OF FEBRUARY, 2007

O R D E R

The common petitioner in these applications for regular bail is the accused in Cr.No.72/04 of Kayamkulam Police Station for offences punishable under sections 8(1) and 8(2) of the Abkari Act for allegedly having been found in possession of 4 litres of illicit arrack on 7.2.2004. He is the accused in Cr.No.490/04 of Kayamkulam Police Station for offences punishable under sections 8(1) and 8(2) of the Abkari Act for allegedly having been found in possession of 2 ½ litres of illicit arrack on 23.7.2004.

2. Learned Public Prosecutor opposed the application submitting, inter alia, that the petitioner is an accused in two other cases involving abkari offences.

3. I am not satisfied that both the grounds enumerated under Clause (b)(ii) of Sec. 41 A of the Abkari Act are present in this case so as to justify the release of the petitioner on bail.

This application is accordingly dismissed.

V.RAMKUMAR, JUDGE

dsn